

CITY OF SOUTH JORDAN
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

October 25, 2016

Present: Commissioner Mark Woolley, Commissioner Sean D. Morrissey, Commissioner Julie Holbrook, Commissioner Earl Jolley, City Planner Greg Schindler, Planner David Mann, Assistant City Engineer Shane Greenwood, Staff Attorney Steven Schaefermeyer, Deputy Recorder Cindy Valdez

Absent: Commissioner Brady Quinn, Commissioner John Ellis

Others: See Attachment A

6:30 P.M.
REGULAR MEETING

I. GENERAL BUSINESS

A. Welcome and Roll Call

Chairman Mark Woolley welcomed everyone and noted the Commissioner Quinn and Commissioner Ellis are absent from tonight's meeting.

B. Motion to Approve Agenda

Commissioner Holbrook motioned to approve the October 27, 2016 Planning Commission agenda. Commissioner Jolley seconded the motion. Vote was unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from the vote.

C. Approval of the Minutes from the Meeting held on October 11, 2016

Commissioner Holbrook motioned to approve the October 11, 2016 Planning Commission meeting minutes. Commissioner Jolley seconded the motion. Vote was unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from the vote.

II. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. Staff Business

City Planner Greg Schindler said there are only a few meetings left this year. The next Planning Commission Meeting is cancelled due to the election, so the next meeting will be on Tuesday November 22, 2016, and there is only one other meeting in December and that is on Tuesday December 13, 2016.

B. Comments from Planning Commission Members

None

III. CITIZEN COMMENT

Chairman Mark Woolley opened for Citizen Comments. No speakers. He closed the Citizen Comment.

IV. SUMMARY ACTION

A.1 Issue: LOT LINE ADJUSTMENT BETWEEN LOTS C-102, 164, & 188 OF THE KENNECOTT DAYBRERAK VILLAGE 5 PLAT 3 SUBDIVISION

Address: 10326, 10344, and 10354 South Kestrel Rise Road
File No: LLA-2016-07
Applicant: Daybreak Communities+

A.2 Potential Action Item – (See VI.A.1)

Commissioner Jolley motioned to approve File No. LLA-2016-07 Lot Line Adjustment between lots C-102, 164 & 188 of the Kennecott Daybreak Village 5 Plat 3 Subdivision. Commissioner Morrissey seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from the Vote.

B.1 Issue: LOT LINE ADJUSTMENT BETWEEN LOTS 2 & 3 OF THE LEGACY COTTAGES SUBDIVISION

Address: 1794 & 1812 W. South Jordan Parkway
File No: LLA-2016.05
Applicant: Steve Broadbent

B.2 Potential Action Item – (See VI.B.1)

Commissioner Jolley motioned to approve File No.LLA-2016.05 Lot line Adjustment between Lots 2 & 3 of the Legacy Cottages Subdivision. Commissioner Morrissey seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from the vote.

V. ACTION

None

VI. PUBLIC HEARINGS AND POTENTIAL **ADMINISTRATIVE ACTION ITEMS

****Administrative Action = Less Discretion, Substantial Evidence (Objective Standard)**

C.1 Issue: DAYBREAK VILLAGE 5 PLAT 9 PRELIMINARY PLAT

Address: Approximately 5150 West 11000 South
File No: SUB-2016.59
Applicant: Daybreak Communities

City Planner Greg Schindler reviewed background information on this item.

Commissioner Holbrook said are these town homes, single family homes, or a mixture of both?

Gary Langston, 4700 Daybreak Parkway South Jordan, Utah 84095 – said there are no town homes in this subdivision, in this part of Daybreak. The narrowest lots you can see are at the bottom of the page on the map, and they are about 40 ft. wide. The reason for the special setbacks in this area is that there is quite a bit of grade and some of the larger lots have an 8 to 12 ft. drop across them. I really don't have anything more to add, but I am here to answer any questions you may have.

Chairman Woolley opened the Public Hearing to comments. There were none. He closed the Public Hearing.

C.2 Potential Action Item – (See VI.C.1)

Commissioner Jolley motioned to approve File No.SUB-2016.59 with the following (1) recommendation by staff. Commissioner Holbrook seconded the motion. Roll Call vote was 4-0 unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from the vote.

**D.1 Issue: DAYBREAK VILLAGE 4 EAST CONDOMINIUMS NO. 4
CONDOMINIUM PLAT**

Address: 4660 West Boathouse Circle

File No: SUB-2016.64

Applicant: Daybreak Communities

City Planner Greg Schindler reviewed background information on this item.

Chairman Woolley opened the Public Hearing to comments. There were none. He closed the Public Hearing.

D.2 Potential Action Item – (See VI.D.1)

Commissioner Holbrook motioned to approve File No.SUB-2016.64 subject to the following the (1) recommendation by staff. Commissioner Jolley seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from the vote.

**E.1 Issue: ONE COMMUNITY CHURCH / PRESCHOOL
CONDITIONAL USE PERMIT**

Address: 11477 South Redwood Road

File No: CUP-2016.07

Applicant: Tony Simoncini

Planner David Mann reviewed background information on this item.

Commissioner Holbrook said would they be having church meetings during the week?

Tony Simoncini, 4672 W. Serendipity Way South Jordan, Utah 84095 – said we have talked to Planner Mann about staggering the times, and there also is a piece of property in the back that if the traffic became an

issue on Redwood Road we could use it as a drive-thru, so there are some other potential ways to control the traffic.

Commissioner Holbrook said typically churches have meeting on other days of the week not just Sunday's, is that something you are planning to do?

Mr. Simoncini said most everything will be on Sunday's, but if there is anything during the week it will be during the evening, and it will be much smaller. The reason we will keep them separate is that during the day it is a pre-school, on Sunday's, and evenings it will be a church.

Commissioner Jolley said on the adjacent properties that you have the parking agreement with, do you have a signed agreement.

Mr. Simoncini said we don't have anything signed. I have spoken with the owners of the Canyons Bicycle and they said they already do the shared parking without an official agreement, but they would have no problem making it official.

Commissioner Jolley said do you know the tenants to the south of you?

Mr. Simoncini said all I know is that it is a tire shop.

Commissioner Jolley said have you spoken to them?

Mr. Simoncini said I have not spoken to them personally because it is my understanding that they already do shared parking.

Commissioner Jolley said do you have a proposed circulation plan?

Mr. Simoncini said I do not have that at this time.

Commissioner Jolley said do you know how wide the space is in back of the building?

Mr. Simoncini said I do not know for sure, but I would say it is about 12 feet.

Chairman Woolley said in regards to the circulation, are you intending on curb cutting and having asphalt laid so that if they come into your facility and they spill over they can go into the other facilities, or would they have to come in through the other entrances?

Mr. Simoncini said there is kind of a walkway, but we have agreed to do whatever makes sense. Planner David Mann mentioned that there is already a proposal for a Smith's Market Place to go in behind it, and the owner has mentioned to me that there has been discussion about the parking connecting, so from a circulation standpoint it could open it up.

Commissioner Morrissey said I share the same concern with traffic backing up on Redwood Road. We have had this issue before, and I think now is a good time to implement the circulation plan based on our experience and what we have seen.

Chairman Woolley opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Chairman Woolley said as I think of some of the other projects we have approved in the past, I have a couple of concerns. In regards of what may happen to the east, we cannot base our decision tonight on that. This building will be used for a preschool and a church, so I would like to not see any parking in Redwood Road, and in order to do that I think we need to address a circulation plan tonight.

Commissioner Morrissey said another additional thought is I think there needs to be a signed parking agreement, because down the road if the owners that are there now leave and new owners come in, they may have issues about the parking. We don't want to see you have that issue down the road when we could have prevented it now.

Staff Attorney Schaefermeyer said I think that Planner David Mann's recommendation was intending for it to be a written agreement, but as far as it being recorded on the property, the problem is the neighbors may change ownership and have different ideas on shared parking.

Chairman Woolley said I would take all the recommendations from staff, but I would like to delete item 3, and come up with our own revision for that one.

Commissioner Jolley said we could just modify it by adding a circulation plan and then letting staff work it out.

Chairman Woolley said I agree.

Staff Attorney Schaefermeyer said this zone has not been added to our uses chapter, which requires impact control measures. There are operation plan requirements, circulation, and access plan requirements, so if you add either one of those as a condition, make sure that they will be based upon those requirements that are already in our code to guide staff as to what you are looking for.

E.2 Potential Action Item – (See VI.E.1)

Commissioner Jolley motioned to approve File No.CUP-2016 .07 Conditional Use Permit for One Community Church/Preschool with the following (3) conditions and adding a:

- 1. The Applicant shall enter into a parking agreement with a neighboring commercial property to account for extra parking needed for church services.**
- 2. The Applicant shall stagger preschool class session by at least 15 minutes, once the number of students reaches 20, to avoid vehicle stacking issues during drop-off/pick-up times.**
- 3. The Applicant shall provide and implement a circulation plan for preschool, and will be approved by City staff.**
- 4. The applicant shall provide connectivity to the adjacent properties for a pedestrian access thru their facility to be approved by staff.**

Commissioner Morrissey amended the motion. He added on condition #3 that it would say "The applicant shall provide and implement a circulation plan for preschool, and will be approved by City staff."

Chairman Woolley said is that a vehicle access or just a pedestrian?

Commissioner Jolley said it is only a pedestrian access.

Commissioner Morrissey said I am speaking to condition #3 for clarification.

Chairman Woolley said I am concerned the pedestrian access is not going to be enough.

Commissioner Jolley said I think as long as they have some ADA pedestrian parking and they can walk there, it should be sufficient.

Chairman Woolley said with the circulation plan I think I can accept this.

Staff Attorney Schaefermeyer said any changes that need to be made to other properties for vehicular or pedestrian access would require their own site plan amendment. It is hard to tell from the visual if it is a matter of this owner paving to the property line, but requiring ADA compliance access it would require a site plan amendment from the other parties.

Planner Mann said more than likely if someone is going to need ADA access they will want to park close to the building, so you could require that some of the parking be restriped for handicap access.

Commissioner Jolley said I agree that we eliminate the “ADA compliant,” but we add a pedestrian access on condition #4.

Commissioner Morrissey seconded the motion. Roll Call vote was 4-0 unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from vote.

F.1 Issue: PARKWAY OFFICES SITE PLAN

Address: Approximately 1800 W. South Jordan Parkway
File No: SP-2016.31
Applicant: Steve Broadbent

Planner David Mann reviewed background information on this item.

Chairman Wooley said on the waterline easement, am I correct in assuming that it goes down the middle of the 2 lots going north and south?

Planner Mann said the water easement is basically where the crosswalk is, so staff went back and forth as to whether it is necessary to vacate that easement, but because they are not moving the easement, and there are no facilities, or anything like that, we felt that getting an easement release letter from the City who owns the easement would be sufficient, then they wouldn't have to go through the subdivision amendment process, and have to go to City Council.

Steve Broadbent, 12388 Timberline Drive – said I don't have anything to add, but I am here to answer any questions you may have.

Chairman Woolley opened the Public Hearing.

Desi Nielsen, 1890 W. South Jordan Parkway South Jordan, Utah 84095- said my husband and I own the acre lot with our home on it, but the other 7 acres with the 3 homes I am a joint owner with them. Tonight is the first we had heard of this and we really didn't know what to expect. I know there are a lot of new faces on the Planning Commission, except for Assistant Engineer Shane Greenwood and he has a history with us because of the apartments. I have a concern with the amount of traffic that will be caused by this because there are already 180 apartments there, and there is only one way on to the road anyway. We have the high school to the west of us and traffic can already be a complete nightmare, so I am a little concerned about the

impact. The little house to the west by the wall, that family has a 5 and a 7 year old, and it is less than perfect when it comes to safety sometimes. There is also an island that comes partway into that property and it looks to me that the only access they are going to have is on the one street that is there, and that is going to be a huge impact on traffic. I also have another concern, because as you can see that is still a working farm. We went through this with the City Council when they built the apartments, and we want it to continue to be a working farm. We have all kinds of livestock, horses, beef, and in the summer time pigs. We are concerned about the commitment from the City because we don't want this to change our lifestyle. When this was rezoned for the apartments it changed to the Multiple Use Zone. My understanding was that the entire piece had to have 3 kinds of tenants; business, apartments, and our property were the third. We had a verbal commitment in the City Council minutes that when the time came for us to sell our property that they would let us rezone to Multiple Use Zone, so that the full area there would be the same zoning. We chose not to do it at the time because it is a lot of property to pay commercial taxes on.

Clifford Nielsen, 1890 W. South Jordan Parkway South Jordan, Utah 84095 – said I just want everyone to understand that we still flood irrigate the little farm, and the water goes down to 10400 S. and it drains to that big canal, and right now by the sidewalk is the drain ditch.

Chairman Woolley closed the Public Hearing.

Commissioner Holbrook said to address the access issue it appears that there isn't going to be any other access on that road except the one to the west, and that is a little concerning.

Planner Mann said I think the intent was that they were always going to use the shared drive. I wasn't a part of the original rezone for those apartments, so I don't know all the discussion that took place, but to get another access on to South Jordan Parkway, it would need to be approved by UDOT.

City Planner Schindler said the Master Development Plan only showed one access because I don't think it was allowed by UDOT.

Chairman Woolley said the applicant was concerned that in the future they would be able to get the Multiple Use Zoning, is that still possible?

City Planner Schindler said it is possible. The Towne Center Mixed Use Zone is still available, but the uses allowed in the Towne Center Mixed Use Zone have changed. There is no residential allowed anymore, but it is still available.

Commissioner Holbrook said how wide is the entrance?

Chairman Woolley said I would say it is 24 to 30 feet wide.

City Planner Schindler said looking at the plans it appears that the private drive on the west side is 30 feet wide.

Chairman Woolley said the applicant brought up the existing animal rights they have which shouldn't be a problem because they have a fence and as long as they continue that use it should not be a problem.

City Planner Schindler said the farm animal issue will not go away until they develop the property.

F.2 Potential Action Item – (See VI.F.1)

Commissioner Holbrook motioned to approve File No. SP-2016.31 for the construction of an office building located at approximately 1800 W. South Jordan Parkway as presented to the Planning Commission provided that:

- **The Applicant obtains an easement release letter from the City to construct the building on top of an existing waterline easement.**
- **The Applicant makes all remaining corrections to the submitted plans and drawings prior to the City Engineer's final approval.**

Commissioner Jolley seconded the motion. Roll Call Vote was 4-0 unanimous in favor; Commissioner Quinn and Commissioner Ellis were absent from the vote.

VII. PUBLIC HEARINGS AND POTENTIAL *LEGISLATIVE ACTION ITEMS

***Legislative Action = More Discretion, Reasonably Debatable (Subjective Standard)**

None

VIII. OTHER BUSINESS

Chairman Woolley said based on the last meeting I took the opportunity to reach out to Mayor Alvord, and he and I had lunch yesterday. I specifically talked to him about if there would be a reason for us to have another combined meeting before the end of the year, and he agreed that there would be, so he is going to set that up with CM Whatcott. He said it would probably be in November, so I will follow up with that this week. There has been some discussion on various developable parcels in the core of our City. We discussed it a little bit tonight on the 11400 S Redwood Road, as to what may, or may not happen there and what it will look like. The staff and Council have been talking to the developers there, and Smith's Market Place will be the main tenant. We will be looking at other mixed uses and higher density, and the Council's feeling is to limit the amount of high density in that area. What they would like us to do, is bring us together and show us the information that staff has prepared for them, look at those parcels and talk about some specific issues. There is parcel just south of us tonight between here and the power station, by the library, and also the City Property where the Ice Skating rink is, and they would like to bring us up to speed, and talk to us about the big picture of things they would like to do.

There is no meeting next week, but we have a text change coming up for the connectivity of roads, and when to connect. There is another issue that came up last week that we are trying to deal with through the same text change, so I will be sending an email to you with that text change. This text change will be on the Agenda for the Planning Commission meeting on November 22, 2016.

ADJOURNMENT

Commissioner Jolley motioned to adjourn. Commissioner Woolley seconded the motion. Motion was unanimous. The October 25, 2016 Planning Commission meeting adjourned at 7:30 p.m. These meeting minutes were prepared by Deputy Recorder Cindy Valdez.

This is a true and correct copy of the October 25, 2016 Planning Commission minutes, which were approved on November 22, 2016.

Anna M. West

South Jordan City Recorder



OCTOBER 25, 2016

PLANNING COMMISSION MEETING SIGN IN SHEET

PRINT NAME

ADDRESS

Desi Nielsen

1890 W So Jordan Pkwy

CUFFORD WILSON

1890 WEST SOUTH JORDAN PARKWAY

Tony Simoncini

4672 W Serendipity Way

STEVE BROADBENT

12388 Timberline Dr.

DARIN MANU

~~105~~ 517 S. 200 W. SLC